

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS A. ACEVEDO GARCIA, ET ALS.

Plaintiffs

vs.

**HON. ROBERTO VERA-MONROIG,
ET ALS.**

Defendants

Civil No.: 97-2639(JP)

MOTION

TO THE HONORABLE COURT:

COMES NOW plaintiffs, through the undersigned attorney, who very respectfully states and prays as follows:

At the Settlement Conference held on May 9, 2007 defendants were ordered to develop and tender to plaintiff a financial plan for payment of the Final Judgment by May 23, 2007. (Docket 503)

To our dismay defendants have filed a two page Motion which we have to assume is their financial plan for payment of the Final Judgment. They propose that if the Commonwealth of Puerto Rico assumes the payment of the Judgment they will repay the Commonwealth Government with a \$225,000.00 annual payment. Defendants makes no mention as to what real efforts they have made since the Status Conference to procure the loan from the Commonwealth Government. If the Commonwealth Government does not lend the money they will "accept the suggestion made by this Honorable Court", to make a

\$500,000.00 payment each year.

The Judgment that they agreed to pay on/or before March 15, 2007 was of \$12,500,000.00 of which they have only paid \$615,000.00, they still owe \$11,885,000.00. This means that their financial plan for payment is to pay in approximately 23 years, by the time they finish paying many of the plaintiffs would for sure have passed away. This to us constitutes a lack of respect and an effort to further humiliate plaintiffs in their quest to redeem the violations of their Constitutionally Protected Rights.

We have a copy of the budget proposed to the Municipal Legislature for the fiscal year 2007-2008 by the Mayor, Jaime Barlucea. This budget adds up to \$8,131,892.00. Last years budget was of \$7,468,203.00 this is \$663,689.00 more. This translates to, that without making any economies or any reduction in their current budget the mayor is proposing more expenses without considering that there is a Judgment to be paid. In their new proposed budget we have the following expenses that can easily and without affecting the primary service of the Municipal Government has to provide, be used to partially pay the Final Judgment.

Account #	Description	Amount
01-02-04-9405	public relations	\$ 5,000.00
01-03-04-9411	professional services	200,000.00
01-03-04-9412	non-professional services	26,576.00
01-03-04-9415	public relations	10,000.00
01-03-04-9421	traveling expenses	5,000.00
01-03-04-9447	donations	2,000.00

01-03-04-9465	miscellaneous	100,000.00
01-04-04-9465	miscellaneous	12,000.00
01-07-04-9411	professional services	12,000.00
01-08-01-9176	special bonus	91,000.00
01-08-04-9412	incentive project	100,000.00
01-09-04-9447	donations	36,000.00
01-09-04-9484	marathon	21,000.00
01-14-04-9421	students trip	45,000.00
01-14-04-9480	patron festivities	120,000.00
01-14-04-9481	festivities or activity I	45,000.00
01-14-04-9482	festivities or activity II	30,000.00
01-14-04-9483	Christmas festivities	45,000.00
01-14-04-9484	Faith congress	25,000.00
01-16-04-9447	donations	100,000.00
01-28-04-9901	donations	4,000.00

This adds to..... \$

1,034,576.00

To this we have to add account 01-03-04-9470 for Judgment \$200,000.00 and three different accounts for legal services that add up to \$151,200.00.

The Municipal Government of Adjuntas is making no real effort to pay this Judgment. It is not sufficient to say that they will obey this Court's Order when the record shows on different occasions they have not. They have to make a good faith effort in reducing non-essential expenses and present a well thought plan that provides for the payment of the Final Judgment during a reasonable period of time.

We strongly believe that without reducing the essential services that the Municipal Government has to provide to the citizens of Adjuntas they can allocate no less than \$2,000,000.00 annually for the payment of this Judgment and with a well thought austerity plan they can allocate up to \$3,000,000.00 for the payment of this Judgment.

We respectfully request from this Honorable Court that defendants be ordered to pay the Judgment in a way that does not represent a miscarriage of Justice. Defendants have to realize the seriousness of their voluntary agreed obligation that ended in the Final Judgment, making economies and reductions in their expenses. Serious and urgent actions are needed from defendants in order for the judgment to be enforced in a way that makes justice to plaintiffs.

I hereby certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Attorneys; Harry R. Segarra, Esq., and Evelyn Quinones, Esq. Calle Murcia 1910 La Rambla, Ponce, PR 00730, , egclaw@centennialpr.net.

RESPECTFULLY SUBMITTED.

In Aguadilla, Puerto Rico, this 24th day of May, 2007.

s/ Israel Roldán González

ISRAEL ROLDAN GONZALEZ

USDC-P.R. 115602

Attorney for Plaintiffs

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